IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

MONDAY, THE 19TH FEBRUARY 2007 / 30TH MAGHA 1928

OP.No. 29854 of 1999(D)

PETITIONER:

P.ASHRAF, S/O.POYIL HASSANKOYA,
P.B.NO.8675, A1 ASHA SALMANIYA,
KINGDOM OF SAUDI ARABIA, REPRESENTED BY POWER
OF ATTORNEY O.P. SOUDHA, D/O. OTTAPILAKKOOL AHMAD,
POYIL HOUSE, CHEEKKILODU AMSOM OF KOZHIKODE TALUK.

BY ADV. SRI.SUNNY MATHEW

RESPONDENTS:
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1. **THE REVENUE DIVISIONAL OFFICER,**
   KOZHIKODE.

2. **THE VILLAGE OFFICER, NANMINDA,**
   KOZHIKODE DISTRICT.

BY GOVERNMENT PLEADER SRI. MANOJ

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 19/02/2007, ALONG WITH OP. 14580/2000 THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON CMP. NO.50884/1999 IN OP. NO.29854/1999

DISMISSED

19.2. 2007 **SD/- KURIAN JOSEPH, JUDGE**

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE PERMIT NO.B4-86/99-2000 DT.15.10.99.

EXT.P2:- COPY OF THE APPROVED PLAN OF THE BUILDING.

/TRUE COPY/

tss

KURIAN JOSEPH, J.

O.P.No.29854 of 1999

Dated this the 19th day of February, 2007

JUDGMENT

The writ petition is filed with the following prayer:-

> (a) to issue a writ of mandamus or any other appropriate writ, order or direction commanding respondents 1 and 2 not to prevent or disturb the construction of the building carried out by the petitioner in R.S.No.59/1 of the Nanminda Panchayat which is being carried out in pursuance to Ext.P1 and P2.

There is an interim order in C.M.P.No.50884/1999 which reads as follows:-

> "Respondents are directed not to prevent the construction of the petitioner's building, if it is done strictly as per the permit granted, without any written order."

The writ petition is allowed in terms of the said interim order.

(KURIAN JOSEPH, JUDGE)

ahg.

KURIAN JOSEPH, J.

O.P.NO.29854/1999

JUDGMENT

19th February, 2007